

REMARKS

This Response is submitted in reply to the Final Office Action dated January 20, 2010 and in accordance with the telephone interview courteously granted on August 27, 2010.. Claims 29 to 35 and 62 are pending in the present application. Claims 1 to 18, 21 to 28, and 41 to 60 stand previously canceled. Claims 19, 20, 36 to 40, 61, and 63 stand previously withdrawn. Claim 29 is in independent form. Claims 29 is hereby amended. No new matter has been introduced as a result of the amendments. Please charge Deposit Account No. 02-1818 for all payments due in connection with this Request for Continued Examination and this Response.

As noted above, Applicant has filed a Request for Continued Examination with this Response. Accordingly, Applicant requests that the Examiner allow the application or provide an Office Action which identifies "... any claims which he or she judges, as presently recited, to be allowable and/or . . . suggest any way in which he or she considers that rejected claims may be amended to make them allowable" in accordance with §707.07(d) of the MPEP.

The Office Action rejected Claims 29 to 31, 33 to 35 and 62 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0105641 to Lewis ("Lewis") in view of U.S. Patent No. 6,216,227 to Goldstein et al. ("Goldstein").

Lewis discloses a system for selecting, purchasing, and validating a ticket. (Lewis, ¶ 20). The system includes a customer computer connected to a vendor computer system. (Lewis, ¶ 20). In Lewis, a customer operating the customer computer is enabled to purchase a ticket via a website hosted by the vendor computer system. (Lewis, ¶ 20 and ¶ 21). In one example, Lewis's ticket is in electronic form for use on a handheld device. (Lewis, ¶ 10 and ¶ 21). The customer gains entrance to an event by using the purchased ticket. (Lewis, ¶ 22). The system of Lewis also includes a validation system placed at the location of the event. (Lewis, ¶ 22). The validation system is connected to the vendor computer system. (Lewis, ¶ 22). After the ticket is verified to be valid, the validation system permits the customer to enter the event. (Lewis, ¶ 22).

Goldstein discloses multi-venue ticketing using smart cards. The Abstract of Goldstein discloses:

A system and methods are provided for storing and validating electronic tickets for multiple venues on a single smart card. In accordance with this present embodiment, an operating system of the smart card includes a Java Virtual Machine and an applet loader key. A shared applet, including a venue loader key, is validated with the applet loader key and is stored on the smart card. One or

more venue applets are also stored on the smart card, each with a venue key corresponding to an associated venue. Each venue applet is validated by the applet loader key and the venue loader key. The shared applet is used by the venue applets to interface with ticket loaders and ticket validation devices. Tickets are purchased for events associated with the venue applets and are stored on the smart card in association with the related venue applets. Ticket signatures are authenticated with each venue applet's venue key. A ticket is cancelled after being tendered to gain admittance to an event.

Column 5, lines 38 to 45 of Goldstein disclose:

One skilled in the art will recognize that an applet stored on smart card 100 is able to keep data private and thus inaccessible to other stored applets. This prevents one applet from corrupting or examining tickets associated with a particular venue applet. In a present embodiment, however, tickets are cancelled or deactivated after being presented to validation device 106. In an alternative embodiment, individual tickets are deleted or overwritten.

Pages 2 to 4 the Office Action stated that Lewis teaches:

As per claim 29, Lewis teaches an electronic ticket management method

(a) providing:

(i) an event organizer apparatus, ([0010], The system of the present invention also allows consumers to gain access to and to display their purchased tickets on Internet enabled or connected handheld devices, such as personal communications system cellular phones or pages or personal organizer type devices such as a portable digital assistant devices, for subsequent validation at the event to permit entry);

(ii) an electronic ticket platform center, ([0028], The main computer system 158 is capable of hosting numerous websites which presents virtual venues or various pages to the customer computer 152. A customer operating the customer computer 152 is able to interact with the various websites being hosted by the main computer system 158 to review various events, select an event, purchase tickets, receive tickets, and pay for tickets, [0031], main computer system); and

(iii) an electronic ticket distribution authentication apparatus, ([0031], The main computer system 188 also has a validation system 192 connected to the main computer system 188 by an electrical connection 194. The validation system 192 may be positioned or located at the venue or the event site. The main computer system 188 may also be located at the venue or the event site or it may be located at a remote location. The validation system 192 is used to read either a paper ticket or information from the handheld device 182, in order to allow a customer into an event. For example, the handheld device 182 may send a signal, such as an

audio signal 196, to the validation system 192. The validation system 192 would then authenticate or validate the signal 196 to determine if the customer should be allowed entrance into the event;

In view thereof, as best understood, it appears that the Office Action would interpret:

- (a) Lewis's system 10 as the event organizer apparatus of Claim 10;
- (b) Lewis's main computer system 158 as the electronic ticket platform center of Claim 29; and
- (c) Lewis's validation system 188 as the electronic ticket distribution authentication apparatus of Claim 29.

Applicant submits that Lewis's system (interpreted as the event organizer apparatus) does not form seller information which authorizes Lewis's validation system 188 (interpreted as the electronic ticket distribution authentication apparatus) to sell electronic tickets to an event. Rather, as described above, Lewis's validation system 188 merely permits the customers to enter the event. That is, Lewis's validation system 188 is not authorized to sell tickets to any events. Accordingly, unlike the electronic ticket management method of Claim 29, the electronic ticket management method resulting from a combination of Lewis and Goldstein does not render obvious "(c) causing the event organizer apparatus to form seller information authorizing the electronic ticket distribution authentication apparatus to sell electronic tickets to the event . . ."

Applicant submits that Lewis's main computer system 158 (interpreted as the electronic ticket platform center) is not separate from the Lewis's system 10 (interpreted as the event organizer apparatus). As shown in Figure 1 of Lewis and described in paragraph [0020] of Lewis, the system 10 includes the main computer system 158. That is, if the Office Action interprets: (i) Lewis's system 10 as the event organizer apparatus of Claim 10; and (ii) Lewis's main computer system 158 as the electronic ticket platform center of Claim 29, Applicant submits that, unlike the electronic ticket management method of Claim 29, the electronic ticket management method resulting from a combination of Lewis and Goldstein does not render obvious "(a) providing . . . an electronic ticket platform center which is separate from the event organizer apparatus . . ."

Page 4 of the Office Action stated Lewis teaches, with emphasis added:

- (e) causing the event organizer apparatus to receive a request to distribute electronic ticket information concerning a plurality of electronic tickets for the event from a user of a first information storage chip (Lewis: paragraphs 0005; 0020; 0026; 0028; 0030),

Applicant respectfully submits that Claim 29 does not include such subject matter. Rather, the electronic ticket management method of Claim 29, includes, among other elements, “(e) causing the electronic ticket distribution authentication apparatus to receive a request to distribute electronic ticket information concerning a plurality of electronic tickets for the event from a user of a first information storage chip.”

Page 8 of the Office Action stated Goldstein teaches:

in col 5, lines 38-45 that an applet stored on smart card 100 is able to keep data private and thus inaccessible to other stored applets. This prevents one applet from corrupting or examining tickets associated with a particular venue applet. In a present embodiment, however, tickets are cancelled or deactivated after being presented to validation device 106. In an alternative embodiment, individual tickets are deleted or overwritten.

Applicant submits that Goldstein’s tickets are not deleted or nullified in response to a ticket being assigned from a first information storage chip to a second information storage chip. Rather, Goldstein merely discloses that tickets are “cancelled or deactivated after being presented to validation device . . .” (Goldstein, column 5, lines 42 to 44). That is, unlike the electronic ticket management method of Claim 29, the electronic ticket management method resulting from a combination of Lewis and Goldstein does not render obvious “(k) causing the electronic ticket platform center to . . . delete or nullify the at least one of the plurality of electronic tickets from the first information storage chip in response to said at least one of the plurality of electronic tickets being assigned from the first information storage chip to the second information storage chip.”

For at least these reasons, it is respectfully submitted that independent Claim 29 is patentably distinguished over Lewis and Goldstein and in condition for allowance. Dependent Claims 30 to 35 and 62 depend directly from amended independent Claim 29 and are also

allowable for the reasons given with respect to Claim 29 and because of the additional features recited in these claims.

The Office Action rejected Claim 32 under 35 U.S.C. § 103(a) as being unpatentable over Lewis in view of Goldstein and further in view of U.S. Patent No. 6,067,532 to Gebb ("Gebb").

Applicant respectfully submits Gebb fails to cure the deficiencies of Lewis and Goldstein discussed above. Because Claims 32 is dependent on independent Claim 29, Applicant submits Claims 32 is patentable over the cited prior art for at least the same reasons discussed above, and for the additional patentable elements recited therein.

An earnest endeavor has been made to place this application in condition for formal allowance, and allowance is courteously solicited. If the Examiner has any questions regarding this Response, Applicant respectfully requests that the Examiner contact the undersigned.

Respectfully submitted,

K&L GATES LLP

BY 
Robert T. Clarke
Reg. No. 60630
Customer No. 29175
Phone: (312) 781-6803

Dated: October 30, 2010